

ASSEMBLY BILL

No. 1501

Introduced by Assembly Member Levine

February 21, 2003

An act to amend Section 85401 of the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 1501, as introduced, Levine. Political Reform Act of 1974.

Under the Political Reform Act of 1974, a candidate for elective state office may voluntarily accept specified expenditure limits for his or her campaign for office. Under existing law, the candidate is required to file a statement of acceptance or rejection of the voluntary expenditure at the time he or she files the statement of intention.

This bill would authorize a candidate, until the deadline for filing nomination papers, to change his or her statement of acceptance or rejection of voluntary expenditure limits, provided he or she has not exceeded the voluntary expenditure limits.

Existing law makes a violation of the act subject to administrative, civil, and criminal penalties.

This bill would impose a state-mandated local program by imposing these penalties on persons who violate the provisions of this bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the act, would therefore require a $\frac{2}{3}$ vote.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 85401 of the Government Code, as
2 added by Chapter 102 of the Statutes of 2000, is amended to read:
3 85401. (a) Each candidate for elective state office shall file
4 a statement of acceptance or rejection of the voluntary expenditure
5 limits set forth in Section 85400 at the time he or she files the
6 statement of intention specified in Section 85200.

7 (b) *A candidate may, until the deadline for filing nomination*
8 *papers set forth in Section 8020 of the Elections Code, change his*
9 *or her statement of acceptance or rejection of voluntary*
10 *expenditure limits provided he or she has not exceeded the*
11 *voluntary expenditure limits.*

12 (c) Any candidate for elective state office who declined to
13 accept the voluntary expenditure limits but who nevertheless does
14 not exceed the limits in the primary, special primary, or special
15 election, may file a statement of acceptance of the expenditure
16 limits for a general or special runoff election within 14 days
17 following the primary, special primary, or special election.

18 SEC. 2. No reimbursement is required by this act pursuant to
19 Section 6 of Article XIII B of the California Constitution because
20 the only costs that may be incurred by a local agency or school
21 district will be incurred because this act creates a new crime or
22 infraction, eliminates a crime or infraction, or changes the penalty
23 for a crime or infraction, within the meaning of Section 17556 of
24 the Government Code, or changes the definition of a crime within
25 the meaning of Section 6 of Article XIII B of the California
26 Constitution.

27 SEC. 3. The Legislature finds and declares that this bill
28 furthers the purposes of the Political Reform Act of 1974 within



1 the meaning of subdivision (a) of Section 81012 of the
2 Government Code.

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